

Child and Family Services Update

February 3, 2003

Federal Court Update On David C.

Richard Anderson

Since I last sent a message to all of you, we have had one more meeting with Judge Tena Campbell regarding the motion before the court. This was scheduled as a meeting to provide an update as to how the negotiations were going with the National Center for Youth Law (NCYL). The Judge acknowledged that she was quite pleased to see the parties were working together effectively. She emphasized that this is the best she has seen the negotiations go since the beginning of the lawsuit. (I agree with the Judge!)

The plaintiffs, NCYL, reported to the court that we had made progress on the three items that were requested in the last hearing – flex funding, training, and staffing. They reported that the Monitor had confirmed that we have established the amount of funding that was required in the Plan for flexible funding. It was reported that the Governor has requested funding for the additional caseworkers and trainers that have been agreed upon between the Division, Monitor and NCYL. The concern from NCYL was that the time delay in waiting on the Legislature for funding was too much to consider. The Judge concluded that she would let the legislative process proceed, and scheduled the next hearing for March 17th, after the session ends. She again emphasized that she would order the resources funded if they were not forthcoming.

At the March 17th hearing, we are to be ready to submit a stipulated order or a non-stipulated order regarding the Plan. In addition, we are to propose the “trimming” that is needed in the plan. I believe we are well on our way toward coming up with what we will propose. The major hurdle to the negotiations will be the funding from the Legislature for the caseworker and training positions. We were pleased with the outcome of this hearing and the process of negotiations. None of this is ever easy, but the work is now progressing better than I ever would have believed it could.